

**Amendment / Reply**

Applicant: Kenneth E. Nicholas  
Serial No.: 10/814,524  
Filed: March 31, 2004  
Docket No.: 200313756-1  
Title: BIOMETRIC CONFIGURATION MANAGEMENT SYSTEM AND METHOD

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**REMARKS**

The following remarks are made in response to the Final Office Action mailed October 1, 2008. Claims 2, 5, 16, and 21 have been cancelled without prejudice. Claims 1-5, 7-24, and 26-39 were rejected. With this Response, claims 1, 3-4, 8, 10-11, 14-15, 17-20, 22, 24, 26, 30-31, and 33-36 have been amended. Claims 1, 3-4, 7-15, 17-20, 22-24, 26-31, and 33-39 remain pending in the application and are presented for reconsideration and allowance.

**Claim Rejections under 35 U.S.C. § 103**

The Examiner rejected claims 1-5, 7-11, 14-27, and 30-37 under 35 U.S.C. § 103(a) as being unpatentable over the Itoh et al. U.S. Patent Application Publication No. 2002/0072391 in view of the Raaf foreign reference DE 198 37 642 C1.

The Examiner rejected claims 12, 13, 28, 29, 38, and 39 under 35 U.S.C. § 103(a) as being unpatentable over the Itoh et al. U.S. Patent Application Publication No. 2002/0072391 in view of the Raaf foreign reference DE 198 37 642 C1 in further view of the Topping U.S. Patent Application Publication No. 2004/0151353.

Amended independent claims 1, 14, and 19 all include limitations related to storing registered biometric data associated with a plurality of registered biometrics of the user, configuration data associated with a plurality of communication network configuration settings, and relational data relating each of the plurality of registered biometrics with corresponding ones of the communication network configuration settings, and automatically selecting one of the communication network configuration settings for a device based on the received biometric data and the relational data, wherein the configuration module is adapted to display an interface to the user identifying a particular registered biometric associated with the selected communication network configuration setting. The Itoh et al. US Publication and the Raaf DE Patent Application do not teach or suggested all of these limitations alone or in combination.

Amended independent claim 30 includes limitations of a database storing registered biometric data associated with a plurality of registered biometrics of the user, configuration data associated with a plurality of communication network configuration settings, and relational data relating each of the plurality of registered biometrics with corresponding ones of the communication network configuration settings, and a configuration module adapted to

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associate one of the communication network configuration settings for the device with the received biometric data, store the received biometric data as registered biometric data, and store relational data relating the registered biometrics of the received biometric data with the associated one of the communication network configuration settings, wherein the configuration module is adapted to display an interface to the user identifying a particular biometric associated with a corresponding communication network configuration setting. The Itoh et al. US Publication and the Raaf DE Patent Application do not teach or suggested all of these limitations alone or in combination.

Dependent claims 3-4, 7-13, 15, 17-18, 20, 22-24, 26-29, 31, and 33-39 respectively further define their respective patentably distinct amended independent claims 1, 14, 19, and 30. Therefore, these dependent claims are also believed to be allowable.

Therefore, Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejection to the claims, and requests allowance of claims 1, 3-4, 7-15, 17-20, 22-24, 26-31, and 33-39.

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**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1, 3-4, 7-15, 17-20, 22-24, 26-31, and 33-39 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1, 3-4, 7-15, 17-20, 22-24, 26-31, and 33-39 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(h)(i). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either Patrick G. Billig at Telephone No. (612) 573-2003, Facsimile No. (612) 573-2005 or Clare Hartnett at Telephone No. (408)447-0289, Facsimile No. (408) 447-0854. In addition, all correspondence should continue to be directed to the following address:

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Date: January 2, 2009  
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